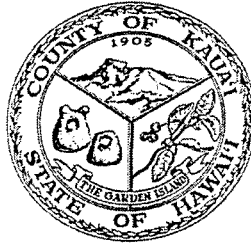


COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kuali'i
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

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Council Services Division
4396 Rice Street, Suite 209
Līhu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

August 6, 2015

TO: Bernard P. Carvalho, Jr., Mayor
FROM: ^{WR} Mel Rapozo, Council Chair
RE: **AUGUST 5, 2015 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its August 5, 2015 Council Meeting:

CONSENT CALENDAR:

C 2015-200 Communication (07/09/2015) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2015-796, as amended, relating to the Fiscal Year 2015-2016 Operating Budget, by Revising the Amounts Estimated in the General Fund, Highway Fund, Liquor Fund, Solid Waste Fund, Sewer Fund, and Golf Fund, to fund collective bargaining increases and related payroll taxes and benefits for Units 2, 3, and 4. *(Units 2, 3, and 4 Collective Bargaining Increases – \$912,369) (Received for the Record.)*

C 2015-201 Communication (07/14/2015) from the Director of Finance, transmitting for Council information, the Fourth Quarter Statement of Equipment Purchases for Fiscal Year 2014-2015, pursuant to Section 17 of Ordinance No. B-2014-781, the Operating Budget of the County of Kaua'i for Fiscal Year 2014-2015. *(Received for the Record.)*

C 2015-203 Communication (07/17/2015) from Councilmember Kuali'i, providing written disclosure of a possible conflict of interest and recusal, relating to the Kaua'i Victim of Crime Act Expansion Project 15-VA-3 Grant application by the Office of the Prosecuting Attorney, due to his employment with the YWCA of Kaua'i. *(Received for the Record.)*

C 2015-204 Communication (07/17/2015) from Council Chair Rapozo, transmitting for Council consideration and confirmation, Council appointee Jett James Jasper to the Public Access, Open Space, Natural Resources Preservation Fund Commission (At-Large) for the County of Kaua'i – Term ending 12/31/2017. ***(Received for the Record.)***

C 2015-205 Communication (07/20/2015) from the Director of Human Resources, transmitting for Council information, the April-June 2015 Quarterly Report, pursuant to Section 19 of Ordinance No. B-2014-781, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2014-2015, which includes new hires, transfers, reallocations, promotions, and vacancies for the fourth quarter. ***(Received for the Record.)***

C 2015-207 Communication (07/24/2015) from Council Chair Rapozo, transmitting for Council consideration, a Proposed Draft Bill to amend Ordinance No. B-2015-796, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2015 to June 30, 2016, to establish a new Legal Analyst position in the Kaua'i Police Department, inclusive of salaries and related benefits. *(Kaua'i Police Department, Legal Analyst – \$124,165)* ***(Received for the Record.)***

COMMUNICATIONS:

C 2015-202 Communication (07/15/2015) from Councilmember Hooser, transmitting for Council consideration, a Resolution Proposing A Charter Amendment Relating To The Public Access, Open Space, Natural Resources Preservation Fund. ***(Received for the Record.)***

C 2015-206 Communication (07/24/2015) from the Director of Finance, transmitting for Council consideration, a Proposed Draft Bill to amend Ordinance No. B-2015-796, as amended, relating to Section 19 of the Operating Budget Provisos of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2015 to June 30, 2016, to allow the Administration to provide the Council with information related to authorized positions in the Budget Ordinance while at the same time, ensuring that the privacy rights of applicants and employees of the County of Kaua'i are maintained. ***(Received for the Record.)***

C 2015-208 Communication (07/29/2015) from Council Chair Rapozo, transmitting for Council consideration, a Resolution authorizing a performance audit of the Kaua'i Humane Society, pursuant to Sections 3.12(B) and 32.02(A)(2), Kaua'i County Charter. ***(Received for the Record.)***

C 2015-209 Communication (07/13/2015) from the Director of Finance, requesting Council approval, to accept and expend the appropriations provided to the County of Kaua'i in the General Appropriations Act of 2015 – Act 119, SLH 2015 in the amount of \$7,100,000 from the State of Hawai'i for the following:

a. Capital Projects – Appropriation Warrant No. 223

1. Motorola 800 MHZ Upgrade – Phase III –
\$2,100,000
2. Sheltered Bus Stops – Construction –
\$1,500,000
3. Moloa'a Well & Post Harvest Facility –
\$3,050,000 (Pass through funding from the State to the Moloa'a Irrigation Cooperative)
4. Kaua'i Veteran's Cemetery Renovation –
\$400,000; and

b. General Funds – Appropriation Warrant No. 60

1. Office of the Prosecuting Attorney Career Criminal Prosecution Unit & Victim Witness Assistance Program – \$50,000

(Approved.)

C 2015-210 Communication (07/15/2015) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$520,390, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Kaua'i Victim of Crime Act Expansion Project 15-VA-3 for the period of September 1, 2015 through July 31, 2018. ***(Approved.)***

C 2015-211 Communication (07/15/2015) from the Director of Finance, transmitting for Council information, the Period 12 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of June 30, 2015, pursuant to Section 21 of Ordinance No. B-2014-781, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2014-2015. ***(Received for the Record.)***

C 2015-216 Communication (07/30/2015) from Council Chair Rapozo, requesting the presence of Sina Pruder, P.E., Engineering Program Manager, State of Hawai'i, Department of Health, to provide a briefing on Act 120 (2015) relating to cesspools, its impact on Kaua'i residents, and the availability and qualification criteria for the Cesspool Upgrade, Conversion, or Connection Income Tax Credit. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2015-212 Communication (07/23/2015) from the Director of Parks & Recreation, recommending Council approval of a License Agreement with Boys & Girls Club of Hawai'i, a non-profit Hawai'i corporation, for three (3) portables and a portion of the grounds immediately surrounding the portables located at the Kaua'i War Memorial Convention Hall in Lihu'e, Kaua'i, Hawai'i, being a portion of Royal Patent 4480, Land Commission Award 7713, Apana, Part I to V. Kamāmalu, to be used for youth-related activities in the Lihu'e area.

- License Agreement
(Approved.)

CLAIMS:

C 2015-213 Communication (07/09/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Benjie Bernabe, for personal injury and medical expenses, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2015-214 Communication (07/09/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Robert J. Cook and Veronica Y. Cook, for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2015-215 Communication (07/14/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Crystal Rita, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: **APPROVED.**

RESOLUTIONS:

Resolution No. 2015-53 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND ***(Motion to schedule public hearing for September 2, 2015 and refer to the September 16, 2015 Council Meeting Failed.)***

Resolution No. 2015-54 – RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND COMMISSION ***(Jett James Jasper – At-Large) (Approved.)***

Resolution No. 2015-55 – RESOLUTION AUTHORIZING A PERFORMANCE AUDIT OF THE KAUA'I HUMANE SOCIETY, PURSUANT TO SECTIONS 3.12(B) AND 32.02(A)(2), KAUA'I COUNTY CHARTER (***Approved.***)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2593) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2015-796, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, HIGHWAY FUND, LIQUOR FUND, SOLID WASTE FUND, SEWER FUND, AND GOLF FUND (*Units 2, 3, and 4 Collective Bargaining Increases – \$912,369*) (***Approved on 1st reading, Public Hearing scheduled for September 2, 2015, and referred to the Budget & Finance Committee.***)

Proposed Draft Bill (No. 2594) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2015-796, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016, BY REVISING SECTION 19 OF THE OPERATING BUDGET PROVISOS (***Approved on 1st reading, Public Hearing scheduled for September 2, 2015, and referred to the Budget & Finance Committee.***)

Proposed Draft Bill (No. 2595) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2015-796, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Kaua'i Police Department, Legal Analyst – \$124,165*) (***Approved on 1st reading, Public Hearing scheduled for September 2, 2015, and referred to the Budget & Finance Committee.***)

BILL FOR SECOND READING:

Bill No. 2590, Draft 1 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 22, KAUA'I COUNTY CODE 1987, AS AMENDED, BY REPEALING ARTICLE 25, RELATING TO BARKING DOGS (***Approved.***)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)